

247 CMR: BOARD OF REGISTRATION IN PHARMACY

247 CMR 4.00: PERSONAL REGISTRATION RENEWAL; CONTINUING EDUCATION REQUIRE-MENT

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4.01: Authority and Purpose

Board regulations at 247 CMR 4.00 are promulgated under the authority of M.G.L. c. 112, §§ 24A and 42A, and are designed to maintain pharmacists' professional competencies and to promote the highest standards of professional practice.

4.02: Personal Registration Expiration and Renewal

- (1) All personal registrations shall expire on December 31st of each even-numbered year and shall be timely renewed if the registrant intends to continue his or her practice of pharmacy.
- (2) A registrant who has not renewed his or her personal registration before the date of its expiration may renew such registration upon payment of an annual license fee, applicable back license fees, and a late fee as established by the Commissioner of Administration and Finance under M.G.L. c. 7, § 3B.
- (3) Any practice of pharmacy by a registrant after the expiration of his or her personal registration shall constitute the unlicensed practice of pharmacy and shall be subject to any and all penalties established for such unlicensed practice of pharmacy.
- (4) An applicant who has failed to renew his or her personal registration for a period of more than 60 days, and whose personal registration has not been suspended or revoked by the Board, may apply for a renewal of personal registration upon satisfying conditions imposed by the Board, which may include the completion of additional CEUs.
- (5) An applicant for personal registration renewal who has failed to renew his or her personal registration for more than two years, and whose personal registration has not been suspended or revoked by the Board, shall take and pass the Massachusetts Pharmacy Law Examination and meet all other conditions as determined by the Board as a prerequisite to registration renewal.
- (6) An applicant for personal registration renewal whose personal registration has been revoked or has been suspended for between six months and two years shall take and pass the Massachusetts Pharmacy Law Examination and meet all conditions as determined by the Board as a prerequisite to registration renewal.
- (7) An applicant for personal registration renewal whose personal registration has been revoked or suspended for more than two years shall take and pass the Massachusetts Pharmacy Law Examination and meet all other conditions as determined by the Board, which may include taking and passing the NABPLEX, as a prerequisite to registration renewal.

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(8) Notwithstanding any other provisions of 247 CMR 4.00, whenever the personal registration of an applicant has expired while the applicant was actively serving in the Armed Forces of the United States or the Public Health Service of the United States and the applicant has applied for personal registration renewal during the six months immediately following termination of said service, the Board, in accordance with the provisions of St. 1951 c. 627, § 51 shall renew the applicant's personal registration upon payment of the appropriate fee; provided however, that the applicant is of good moral character and renewal of his or her personal registration would be in the best interest of the public. No payment shall be required for the period of time when the applicant was actively serving in the Armed Forces or in the Public Health Service, unless the applicant was practicing pharmacy independent of such Armed Forces or Public Health Service.

4.03: Continuing Education Requirement

(1) As set forth by M.G.L. c. 112, § 24A, each registered pharmacist seeking personal registration renewal shall complete continuing education as a condition precedent to such renewal.

(2) No registrant shall be eligible for renewal of a personal registration without completion of the requisite number of CEUs for such renewal.

(3) A registrant seeking renewal of a personal registration shall submit to the Board with a renewal application a statement, signed under the penalties of perjury, that the applicant has satisfactorily completed a minimum of 3.0 CEUs (30 contact hours) required for such renewal.

(4) A registrant seeking renewal of a personal registration must complete a minimum of 1.5 CEUs (15 contact hours) each calendar year of the two-year renewal cycle. Of the 15 contact hours, effective for the renewal period beginning January 1, 1991:

- (a) at least two contact hours shall be in the area of pharmacy law; and
- (b) not more than ten contact hours shall be acquired through home study and other mediated instruction.

(5) No CEUs may be carried over from one calendar year to another.

(6) Notwithstanding any other provisions of 247 CMR 4.03, in the event of extenuating circumstances an applicant for renewal of personal registration who has failed to complete the requisite number of CEUs, or is unable because of a physical disability to conform to the limitation on the number of CEUs acquired through home study and other mediated instruction, shall submit to the Board a detailed statement, signed under the penalties of perjury, setting forth with detail and specificity such extenuating circumstances. In such case, the Board shall determine whether or not a renewal shall be granted. The Board shall notify the applicant of the Board's determination and its reasons therefore.

(7) Notwithstanding any other provisions of 247 CMR 4.00, CEUs shall not be required of any applicant for personal registration renewal for the period of time when the applicant was actively serving in the Armed Forces of the United States or in the Public Health Service of the United States, unless the applicant was actively practicing pharmacy independent of said Armed Forces or Public Health Service.

(8) A registrant may not earn more than eight hours of continuing education in a calendar day.

(9) A registrant shall not be required to complete continuing education in the calendar year in which the registrant has graduated from an approved college/school of pharmacy.

4.04: Board Continuing Education Committee

(1) The Board shall establish a Continuing Education Committee composed of three Board members whose responsibility it shall be to review all requests from providers for authorization to sponsor continuing education programs and the approval of such programs. The Committee shall have the authority to grant or deny requests for provider authorization and program approval, provided that any denial shall be subject to full Board review as provided by 247 CMR 4.04(4).

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- (2) Each request for provider authorization, or program approval from an authorized provider, shall be submitted to the Board Continuing Education Committee no less than 30 days in advance of the date of the proposed program's presentation.
- (3) The Board Continuing Education Committee shall notify providers submitting requests for authorization to sponsor an approved program, or seeking program approval, of the Committee's decision to grant or deny such request for authorization or approval.
- (4) A provider whose request for provider authorization or program approval is denied and who seeks further review of his or her request may appeal the Continuing Education Committee's decision to the full Board.
- (5) Notwithstanding any provision of 247 CMR 4.04, whenever the Board or its Continuing Education Committee has received notice that a person or agency has received current program approval from and is in good standing with the ACPE or the American Medical Association CME-1, then the person or agency sponsoring or co-sponsoring the program shall be considered an authorized provider.

4.05: Criteria for Board Approval of Continuing Education Programs

The following guidelines are to assist the registered pharmacist in selecting an appropriate continuing education program and the provider in preparing and implementing continuing education programs for Board approval as an authorized provider.

- (1) An applicant for status as a Board-approved provider of a continuing education program shall submit a completed application form, available from the Board, for each continuing education program for which the applicant is seeking approval. The form shall include the following:
 - (a) The objectives of the program, which shall be:
 1. clearly stated;
 2. the basis for determining content, learning experience, teaching methodologies, and evaluation;
 3. specific;
 4. obtainable;
 5. measurable; and
 6. describe the expected outcomes for the learner.
 - (b) The appropriate subject matter, which shall include one or more of the following:
 1. pharmacy practice management;
 2. disease states/therapeutics;
 3. research in pharmacy and health care;
 4. patient management;
 5. clinical topics;
 6. drugs and dosage forms;
 7. laws and regulations in relation to the practice of pharmacy; and
 8. other topics which the Board may find important in educating the pharmacist.
 - (c) The subject matter shall be described in outline form as follows:
 1. learner objectives;
 2. content;
 3. time allotment;
 4. teaching methods; and
 5. evaluation format.
 - (d) Whether the program will be live or a home-study or other mediated instruction.
 - (e) The date(s) of the intended program.
 - (f) The location(s) of the intended program, if applicable.
 - (g) The sponsors(s) of the program.
 - (h) The tuition required to attend the program.
 - (i) The amount of continuing education credit, in CEU's, which the program is intended to provide.
 - (j) The qualifications of the faculty preparing and teaching the intended program.
 - (k) Other information which the Board may deem important.

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- (2) When the intended program is an academic course, the course shall be within the framework of curriculum that leads to an academic degree in pharmacy or is relevant to pharmacy, or a course within that curriculum that is necessary to an individual's growth and development within the profession as outlined in 247 CMR 4.11.
- (3) When the intended program is intended for home-study or other mediated instruction, it shall:
 - (a) Be developed by a professional group;
 - (b) follow a logical sequence;
 - (c) involve the learner by requiring an active response to materials and provide feedback;
 - (d) contain a test to indicate progress and to verify the completion of program; and
 - (e) supply a bibliography for continued study.
- (4) When the intended program is a live program, it shall:
 - (a) Involve direct interaction between the faculty and participants; and
 - (b) the faculty should possess the appropriate credentials related to the discipline being taught.
- (5) Education Methods shall conform to the following:
 - (a) Learning experiences and teaching methods shall be appropriate to achieve the objectives of the program;
 - (b) principles of adult education shall be used in the design of the program;
 - (c) time allotted for each activity shall be sufficient for the learner to meet the objective of the program; and
 - (d) facilities and educational resources shall be adequate to implement the program.
- (6) The faculty shall present documentation satisfactory to the Board indicating his or her competence to teach the content of the intended program and that he or she possesses knowledge of the principles of adult education.
- (7) Attendee and program evaluation:
 - (a) A provision shall be made for evaluating the program participants' attainment of the stated learner objectives; and
 - (b) program participants shall be given the opportunity to evaluate faculty, learning experiences, instructional methods, facilities and educational resources used for the program.

4.06: Certificate of Completion of CEUs

- (1) An authorized provider shall issue to each pharmacist who has satisfactorily completed a program sponsored or co-sponsored by that provider a certificate of completion of CEUs certifying that the pharmacist has completed a specified number of CEUs.
- (2) The following information shall be included on each certificate of completion of CEUs issued by an authorized provider:
 - (a) The name and address of the authorized provider;
 - (b) the participant's name;
 - (c) the title of the continuing education program;
 - (d) the location of the program;
 - (e) the date of completion of the program; and
 - (f) the number of CEUs earned.
- (3) The CEUs noted on the certificate of completion of CEU's may be stated in whole numbers or as decimals or fractions.

4.07: Record-Keeping by Authorized Providers

- (1) Authorized providers shall be responsible for retaining records of the program, including:
 - (a) The name of each participant;
 - (b) the content of the program sponsored;
 - (c) the provider authorization number;

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- (d) the date of the continuing education program;
- (e) the location of continuing education program;
- (f) the name of the approved instructor; and
- (g) an indication of whether the program was completed by home-study or other mediated instruction.

(2) Authorized providers shall maintain program records for a period of no less than three years from the date of presentation of the program.

(3) Program records are subject to Board review and shall be made available to the Board and program participants upon request.

4.08: Record-keeping by Registered Pharmacists

(1) A pharmacist to whom a certificate of completion of CEUs has been issued shall retain that certificate for a period of at least two years from the date of completion.

(2) Certificates of completion of CEUs are subject to Board review and shall be made available to the Board upon request.

4.09: Continuing Education Credit for Pharmacist Instructors

A registered pharmacist who is a Board-approved continuing education instructor shall receive continuing education credit for the program taught on a one-time basis annually.

4.10: Continuing Education Credit for Postgraduate Pharmacy Curriculum/Program

A registered pharmacist who enrolls in a postgraduate pharmacy curriculum, postgraduate pharmacy program or Board-approved postgraduate medical program, shall be awarded CEUs for satisfactory completion of each course within said curriculum or program, provided that the sponsor or co-sponsor of the postgraduate curriculum or program is a Board-authorized or ACPE accredited provider of continuing professional education, and provided further that the course provides instruction in one or more of the following areas: pharmacy, pharmaceutical sciences, pharmacy practice, or pharmacy law.

REGULATORY AUTHORITY

247 CMR 4.00: M.G.L. c. 112, §§ 24A and 42A.

NON-TEXT PAGE